UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,787	11/14/2001	Mark A. Kirkpatrick	60027.0074US01	8852

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EXAMINER
NAWAZ, ASAD M

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/993,787	KIRKPATRICK ET AL.
	Examiner	Art Unit	
	Asad M Nawaz	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 November 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☒ Claim(s) <u>10-13</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11/14/01</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-17 are presented for examination.

Claim Objections

2.   Claims 10-13 are objected to because of the following informalities: Claim 10

depends for a claim not preceding it. Also, claims 12 and 13 depend on one another.

Appropriate correction is required.

A series of singular dependent claims is permissible in which a dependent claim

refers to a preceding claim which, in turn, refers to another preceding claim.

A claim which depends from a dependent claim should not be separated by any

claim which does not also depend from said dependent claim. It should be kept in mind

that a dependent claim may refer to any preceding independent claim. In general,

applicant's sequence will not be changed. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Nelson

et al (US Patent No. 5,999,948) hereinafter referred to as Nelson.

As to claim 1, Nelson teaches a method for presenting forms and publishing form data, said method comprising: maintaining a field engine table, said table comprising data identifying one or more fields of a form.(Abstract; col 3, lines 17-24; col4, lines 25-39)

Receiving a request for a network resource including said form; (col 3, lines 25-36)

In response to said request, determining whether a previously compiled class file should be utilized to respond to said request (col 5, lines 34-64; col 8, lines 1-12)

In response to determining that a previously compiled class file should not be utilized to respond to said request, creating an executable class file capable of generating markup language for displaying said fields of said form in a web browser. (col 5, lines 1-9 and 34-64; col 7, lines 46-60; col 8, lines 1-12)

Generating markup language by executing said class file and returning said markup language as a response to said request for a network resource. (col 3, lines 25-36; col 5, lines 34-64)

Claims 8 and 14 are essentially the system and computer-medium for the method claim above and are thus rejected under similar rationale.

As to claim 2, Nelson teaches the method of claim 1, wherein determining whether a previously compiled class file should be utilized comprises determining whether said request for said network resource was a first request for said network resource. (col 7, lines 46-60; col 8, lines 1-12)

As to claim 3, Nelson teaches the method of claim 1, wherein determining whether a previously compiled class file should be utilized comprises determining whether said request for said network resource was a first request for said network resource or whether a web server operative to provide said network resource was reset since the last time said network resource was accessed. (col 7, lines 46-60; col 8, lines 1-12)

Claims 9 and 16 are essentially the system and computer-medium for the method claim above and are thus rejected under similar rationale.

As to claim 4, Nelson teaches the method of claim 1, wherein said field engine table further comprises data indicating a data type for each of said fields. (col 4, lines 25-39; col 6, lines 44-46)

Claim 10 is essentially the system and computer-medium for the method claim above and is thus rejected under similar rationale.

As to claim 5, Nelson teaches the method of claim 4, wherein said field engine table further comprises a form name and a version number corresponding to each of said fields (col 3, lines 8-12; col 8, lines 57-61)

Claim 11 is essentially the system and computer-medium for the method claim above and is thus rejected under similar rationale.

As to claim 6, Nelson teaches the method of claim 5, wherein the said field engine table further comprises field names for each of said fields of said form and wherein the said field names are associated with each of said fields by said class file.(col 3, lines 25-36; col 4, lines 25-39; col 8, lines 1-12)

Claims 12 and 15 are essentially the system and computer-medium for the method claim above and are thus rejected under similar rationale.

As to claim 7, Nelson teaches the method of clam 6, further comprising receiving a request to publish response data associated with each of said field names;(col 5, lines 36-64)

And storing said response data associated with each of said field names in an output table having fields with names identical to said field names.(col 8, lines 57-61; col 13, lines 3-17)

Claims 13 and 17 are essentially the system and computer-medium for the method claim above and are thus rejected under similar rationale.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AMN

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER